
Public Notice

Applicant:

Corporation

Barbet

Date:

Development Published: February 20,
2002

Expires: March 22, 2002

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 2001-01093(0) **Section:** NY 404

Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).

The Barbet Development Corporation, 5774 Kester Road, Memphis, New York 13312 applied for a Department of the Army permit to fill 0.47 acres of wetland for the purpose of constructing Phase II of the Fairways East Subdivision. The site is located west of Morgan Road and south of Route 481 in the Town of Clay, Onondaga County, New York.

The majority of the 101-acre site consists of upland mowed lawn, successional open field, scrub shrub habitat and jurisdictional wetland. A portion of New York State Freshwater Wetland BRE-17, is a narrow wetland/tributary system that flows east into Mud Creek and Clay Marsh, and north to the Oneida River, a navigable waterway. The wetland is approximately 27 acres in size and listed as Wetland A on the attached drawings. The wetland boundary was delineated within the project area (see sheet number 3). Wetland cover types include deciduous forests (silver maple, green ash, black willow), shrubs (dogwood, arrowwood) and emergent wetland species (sensitive fern, rice cutgrass, sedges and common reed). Wetland functions and values include flood attenuation, sediment/toxicant retention, nutrient removal, wildlife and aquatic habitat. The wetland boundary was confirmed by the Corps of Engineers on April 14, 2001.

The applicant proposes to construct Phase II of the Fairways East Subdivision. The project involves the construction of 78 additional single-family homes and 30-40 townhouse units. In order to provide road access, the applicant proposes to install four culverted road crossings. The activity will impact approximately 0.47 acres of wetland (see sheet number(s) 2-10).

Phase I of the Fairways East Subdivision was completed in 1994. At that time the applicant applied for and received authorization to fill 0.78 acres of Wetland A. Wetland impacts were authorized under Nationwide Permit number 26 (Processing No. 90-988-29(0)). Mitigation was not required at that time for impacts less than one acre.

To mitigate for the filling of 0.47 acres of wetland, the applicant proposes to create 0.50 acre of shrub and emergent wetlands on site, located between proposed drainage basin number 1 and the

existing wetland (see sheet numbers 13 and 14). The new wetland will consist of 0.22 acre of emergent wetland and 0.28 acres shrub wetland. To further mitigate for proposed and past impacts, the applicant proposes to donate approximately 26 acres of remaining wetland and 27 acres of upland buffer to the Town of Clay to be used as a recreation area (see sheet numbers 15 and 16).

A proposed sewer line will cross the wetland causing temporary impacts (0.01 acres) to the wetland (see sheet numbers 11 and 12). The discharge from trench and backfilling the pipe is authorized under Nationwide Permit number 12.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Sandra L. Doran, who can be contacted by calling (315) 255-8090, or by e-mail at: sandra.l.doran@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 7413 County House Road, Auburn, New York 13021-8964, and should be marked to the attention of Sandra L. Doran, or by e-mail at: sandra.l.doran@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both

protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

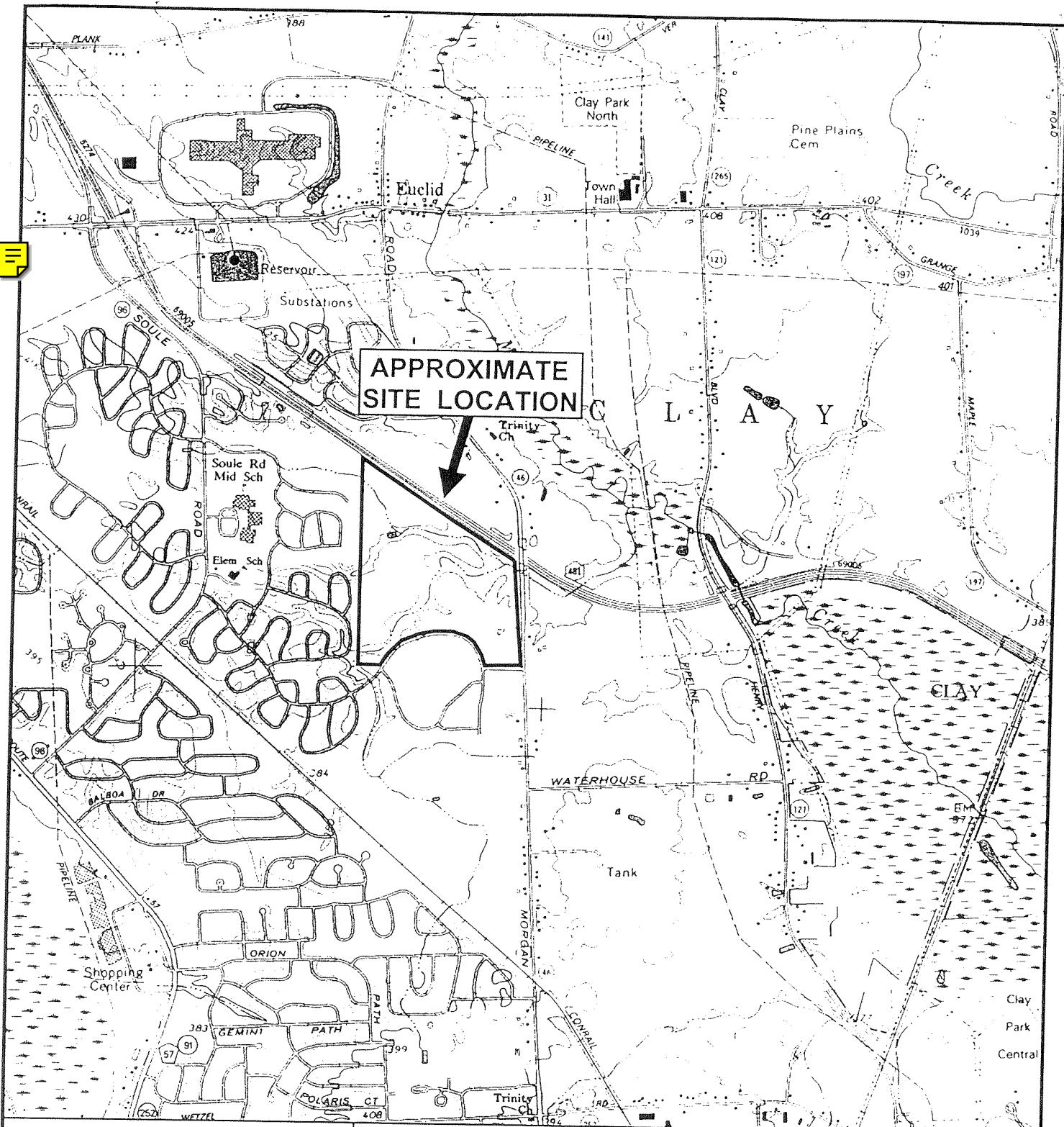
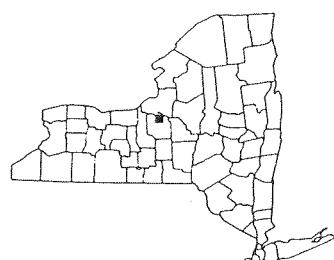


Figure 1. Site Location

NYS DOT Topographic Map



0 1000' 2000'
SCALE 1" = 2000'

NORTH

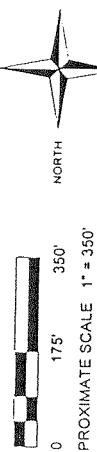


BARBET DEVELOPMENT CORPORATION
D/A Processing No. 2001-01093(0)
Onondaga County, New York
Quad: BREWERTON
Sheet 1 of 16



DATE	RECORD OF WORK	APPR.
APPR. BY: IZ	PROJ. NO. 00046.00	TOWN: BREWERTON
PROJECT LOCATION MAP PROPOSED R-1 AND R-5 ZONE DISTRICTS		
BARBET DEVELOPMENT CORPORATION D/A Processing No. 2001-01093(0) Onondaga County, New York Quad: BREWERTON Sheet 2 of 16		
SCALE: 1" = 1000'		DATE: MAY 24, 2001

Site Plan
Streamwood Townhouse, Streamwood Subdivision, and
Fairway East Subdivision



Base Map Provided by Ivan Zdrdahal Associates, PLLC
Figure Prepared by Terrestrial Environmental Specialists, Inc.

Sheet 3 of 16

quad:

BREWERTON

Oونداجا County, New York

D/A Processing No. 2001-01093(0)

BARBET DEVELOPMENT CORPORATION

PROJECT
LIMITS

WETLAND AREA IMPACT (0.47ac)
TABLE

AREA	IMPACT (SF)	Ac.
A	3,723	.08
B	6,746	.15
C	5,604	.12
D	4,354	.10
TOTAL IMPACT	20,427 SF	

Wetland
Boundary

Confirmed
by USACE

4/01

W = Wetland

Proposed Location
of New Sewer Line

Wetland Crossing
Area D

Wetland Crossing
Area C

Wetland Crossing
Area B

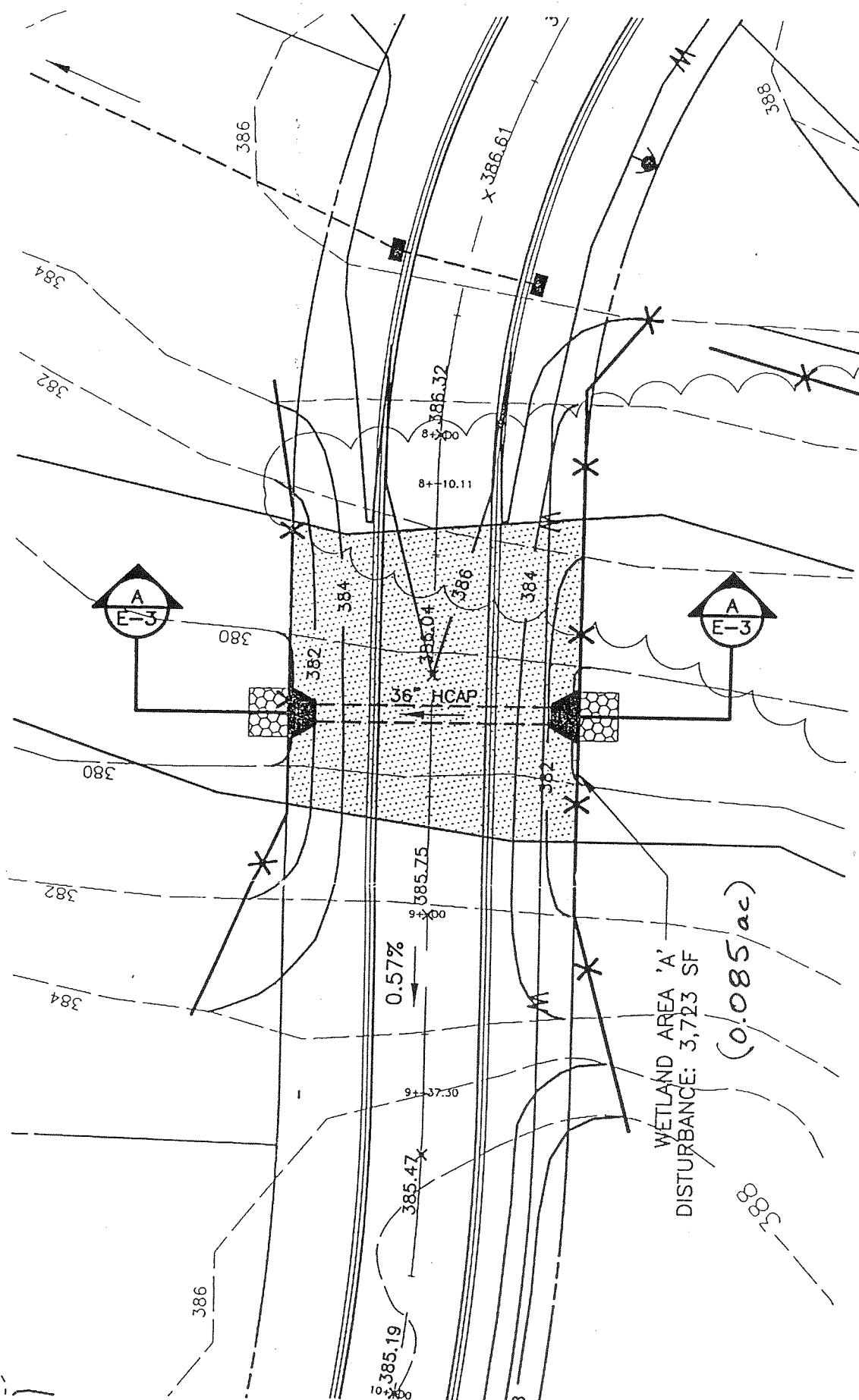
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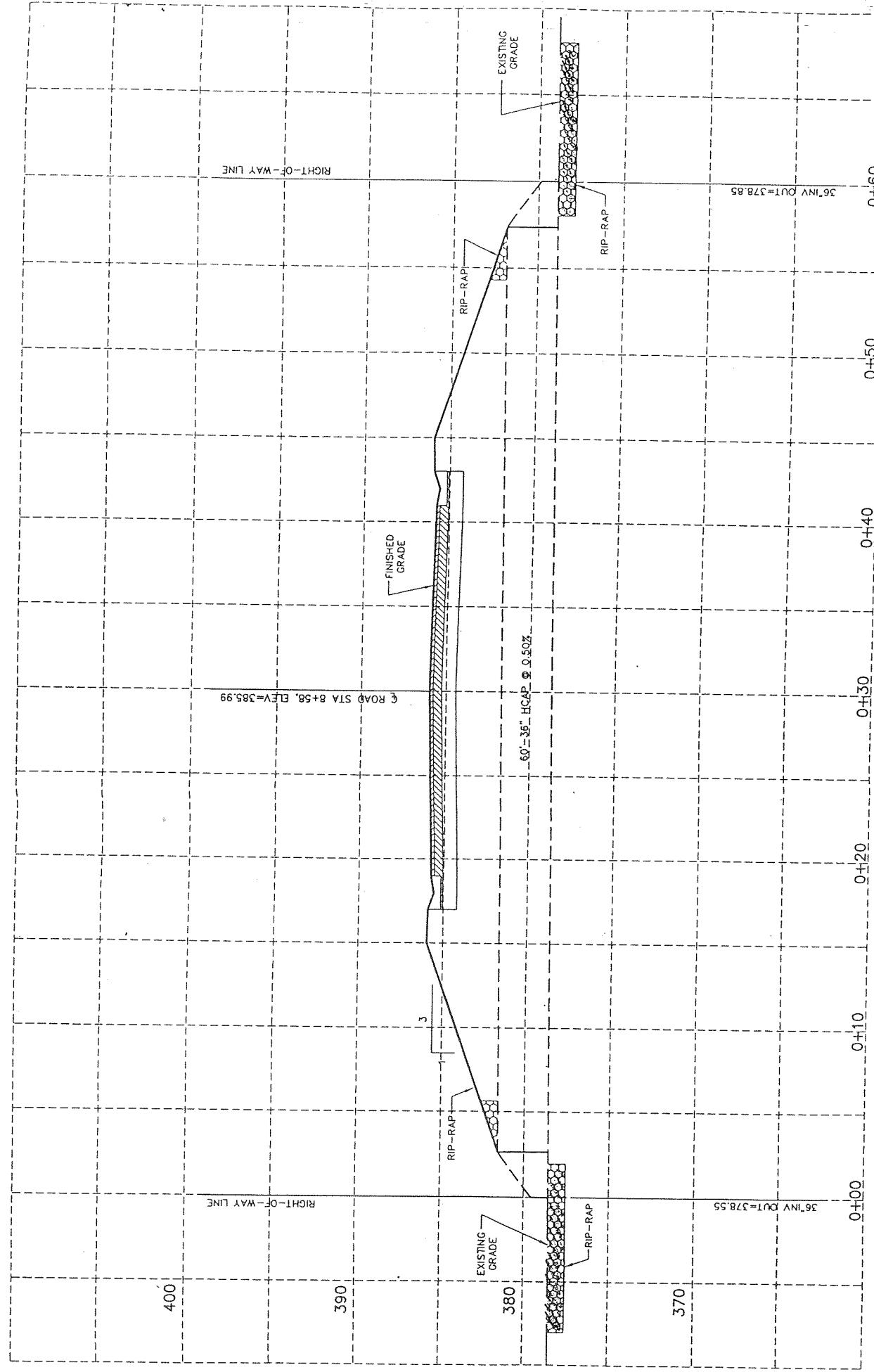
0 175' 350'
APPROXIMATE SCALE 1" = 350'



PLAN WETLAND AREA 'A' DISTURBANCE

SCALE: 1" = 30'
CROSS REFERENCE: NONE

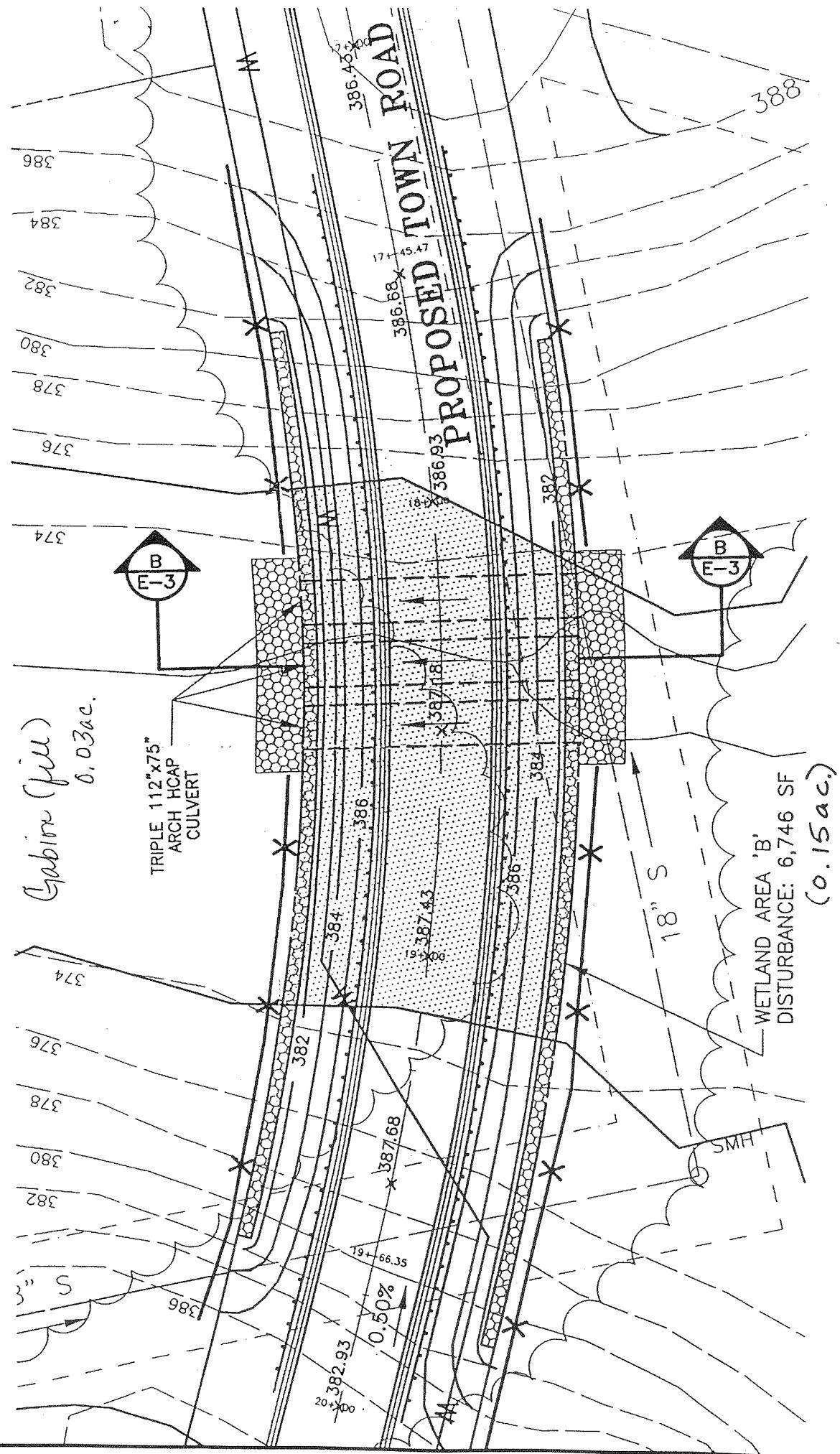
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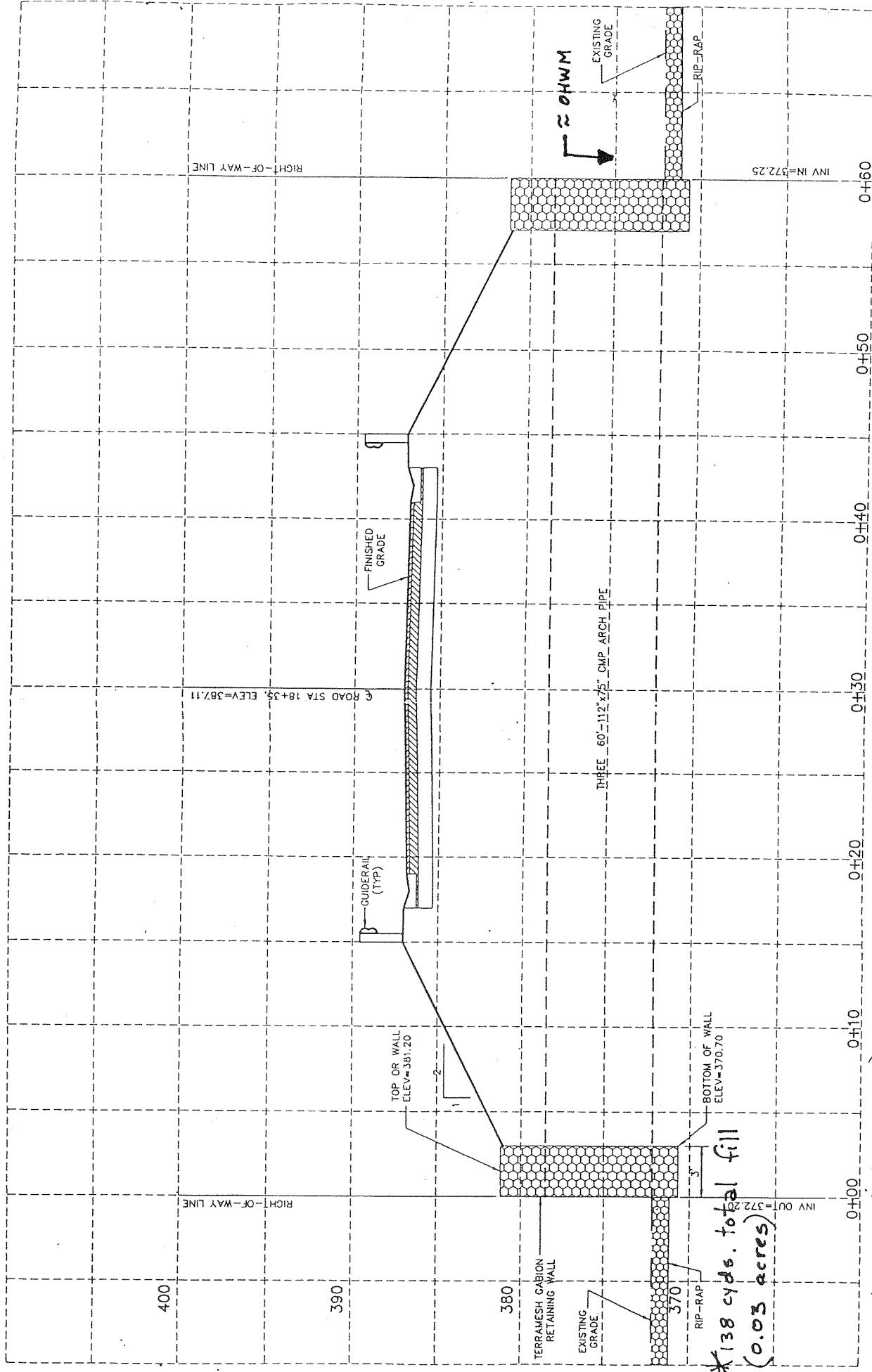


**SECTION A-A - STA 8+58
WETLAND AREA 'A' DISTURBANCE**

E-3 2
SCALE: HORIZ. 1" = 5'
 VERT. 1" = 5'
CROSS REFERENCE: NONE

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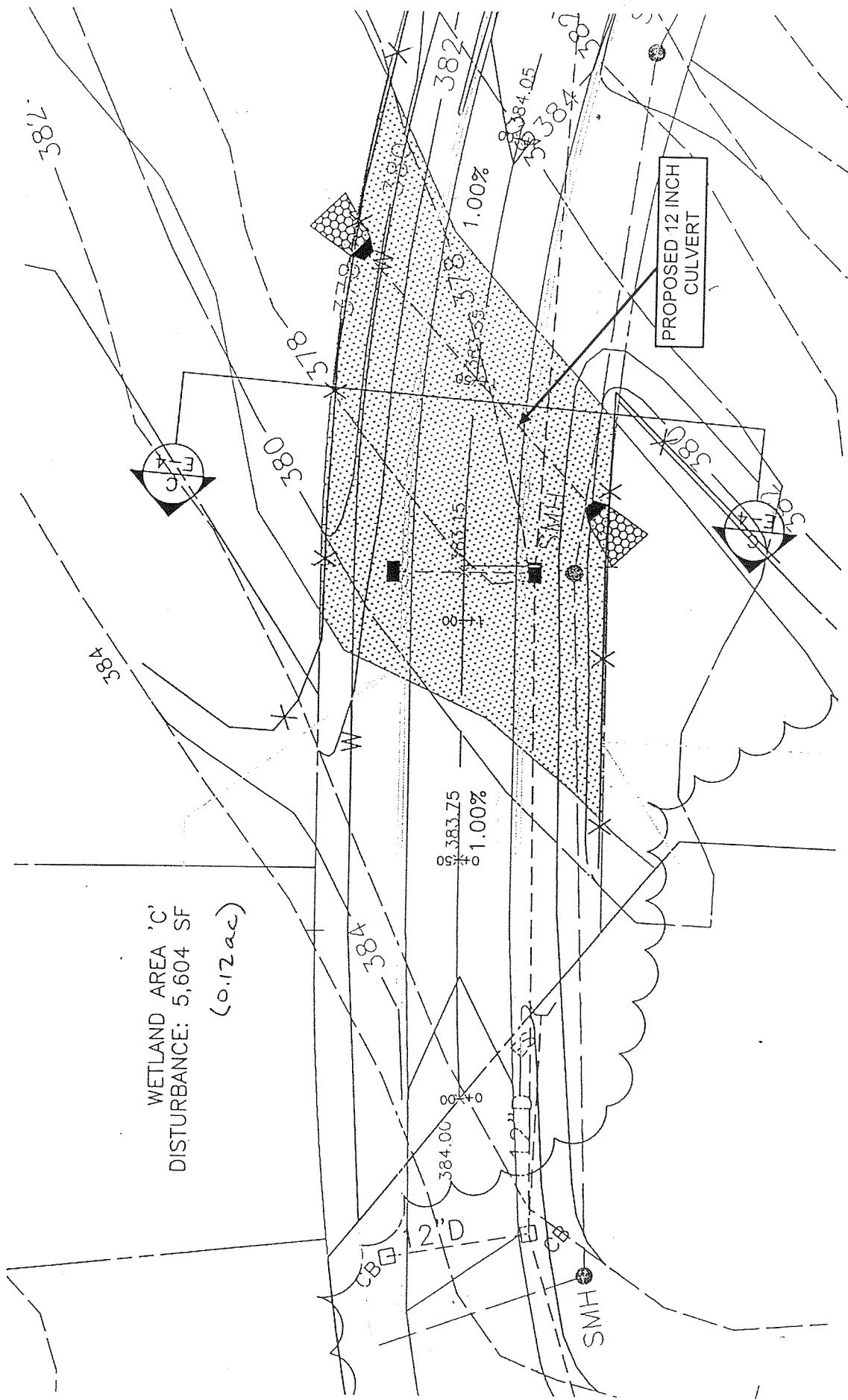


**SECTION B-B - STA 18+35
WETLAND AREA 'B' DISTURBANCE**

SCALE: HORIZ. 1" = 5'
VERT. 1" = 5'
CROSS REFERENCE: NONE

Wetland Hill 0.13ac.)

* Gabions will be installed to stabilize banks

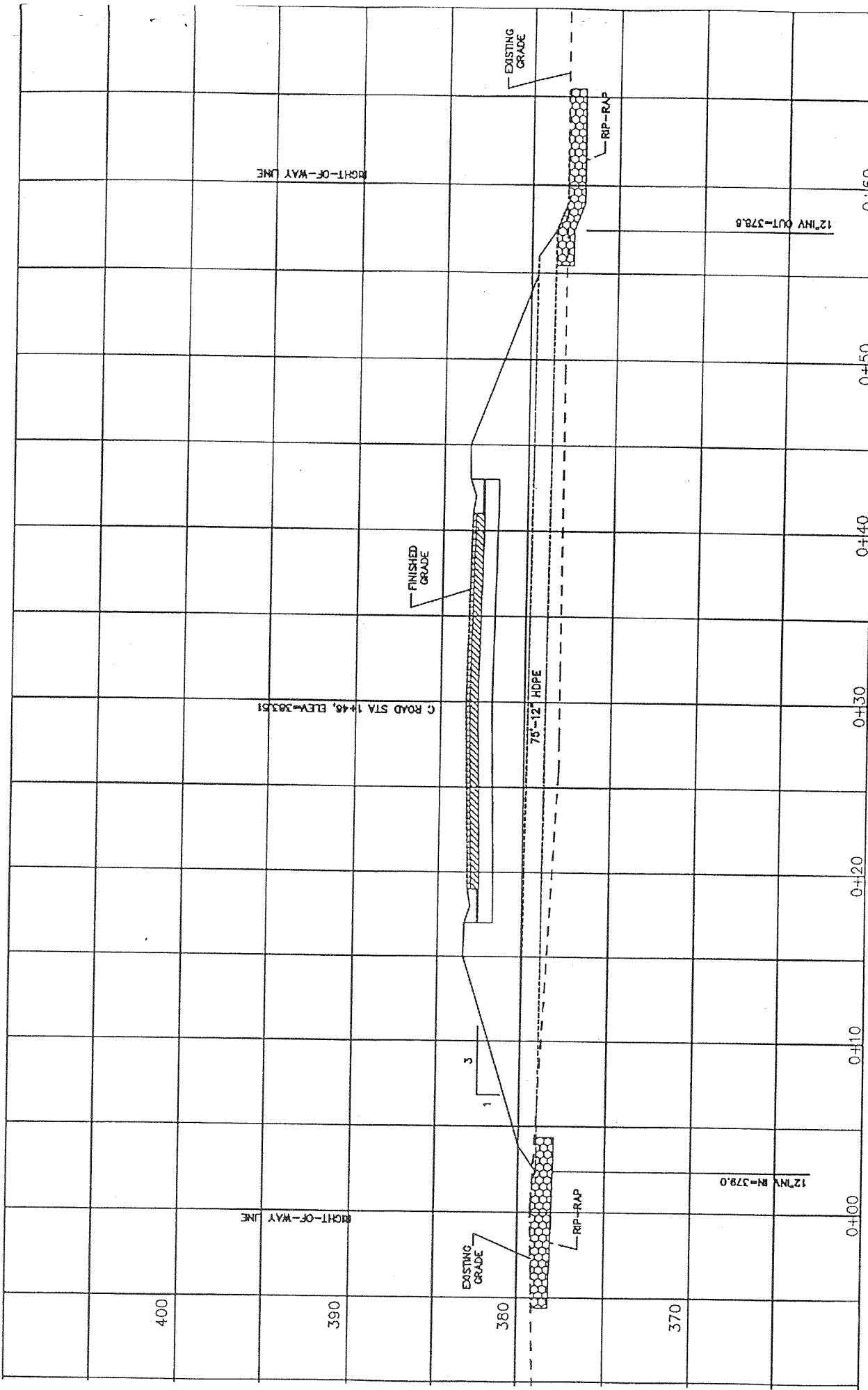


**PLAN - STREAMWOOD DRIVE
WETLANDS AREA 'C' DISTURBANCE**

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E-4

SCALE: 1" = 30'
CROSS REFERENCE: NONE

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SECTION C-C - STREAMWOOD DRIVE STA
WETLANDS AREA 'C' DISTURBANCE

SCALE: HORZ. 1" = 5'
VERT. 1" = 5'
CROSS REFERENCE: NONE

**PLAN - STA 3+50
WETLANDS AREA 'D' DISTURBANCE**

3
E-4

SCALE: 1" = 30'
CROSS REFERENCE: NONE

WETLAND AREA 'D'
DISTURBANCE: 4,354 SF
(0.10 ac.)

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MP

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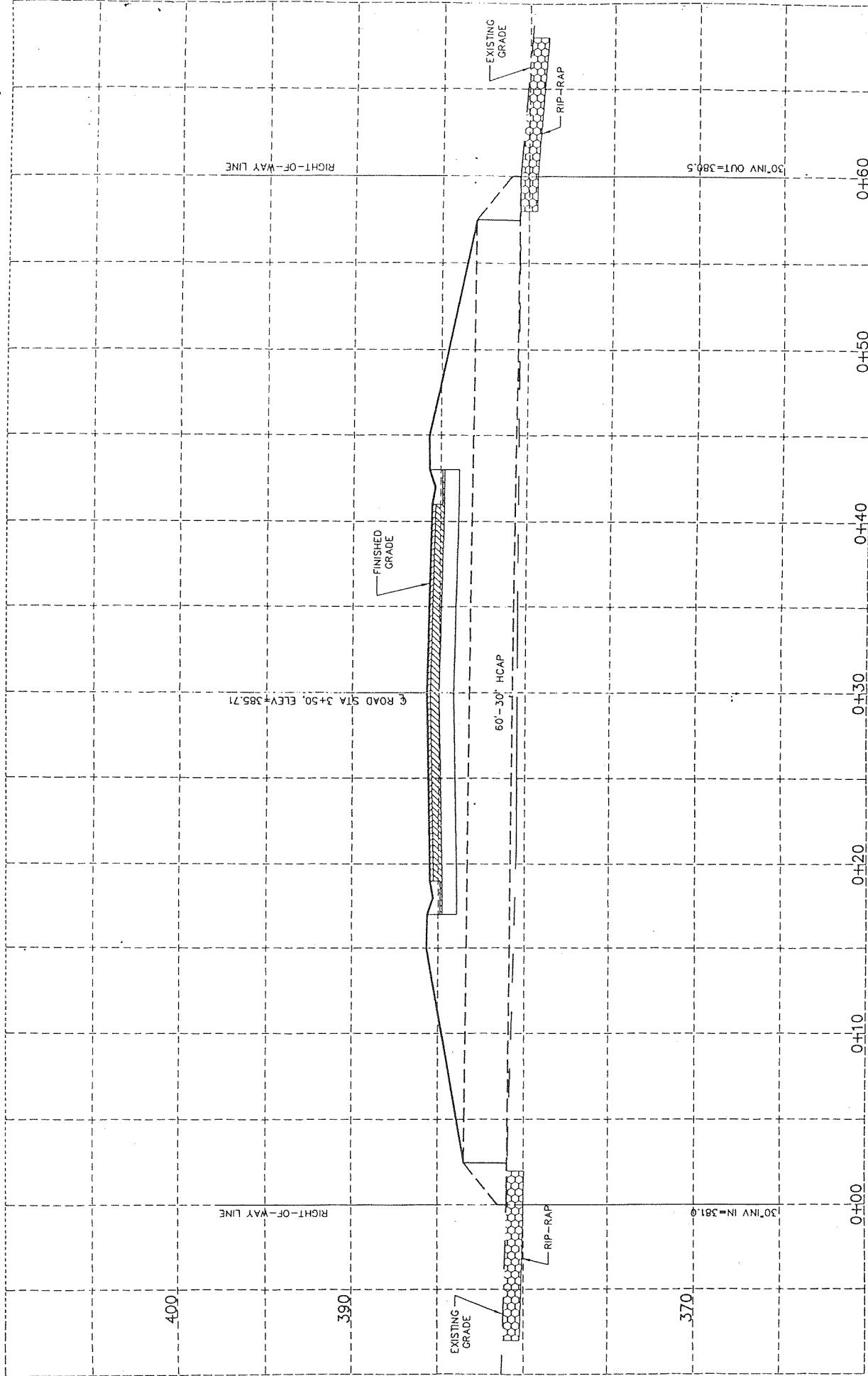
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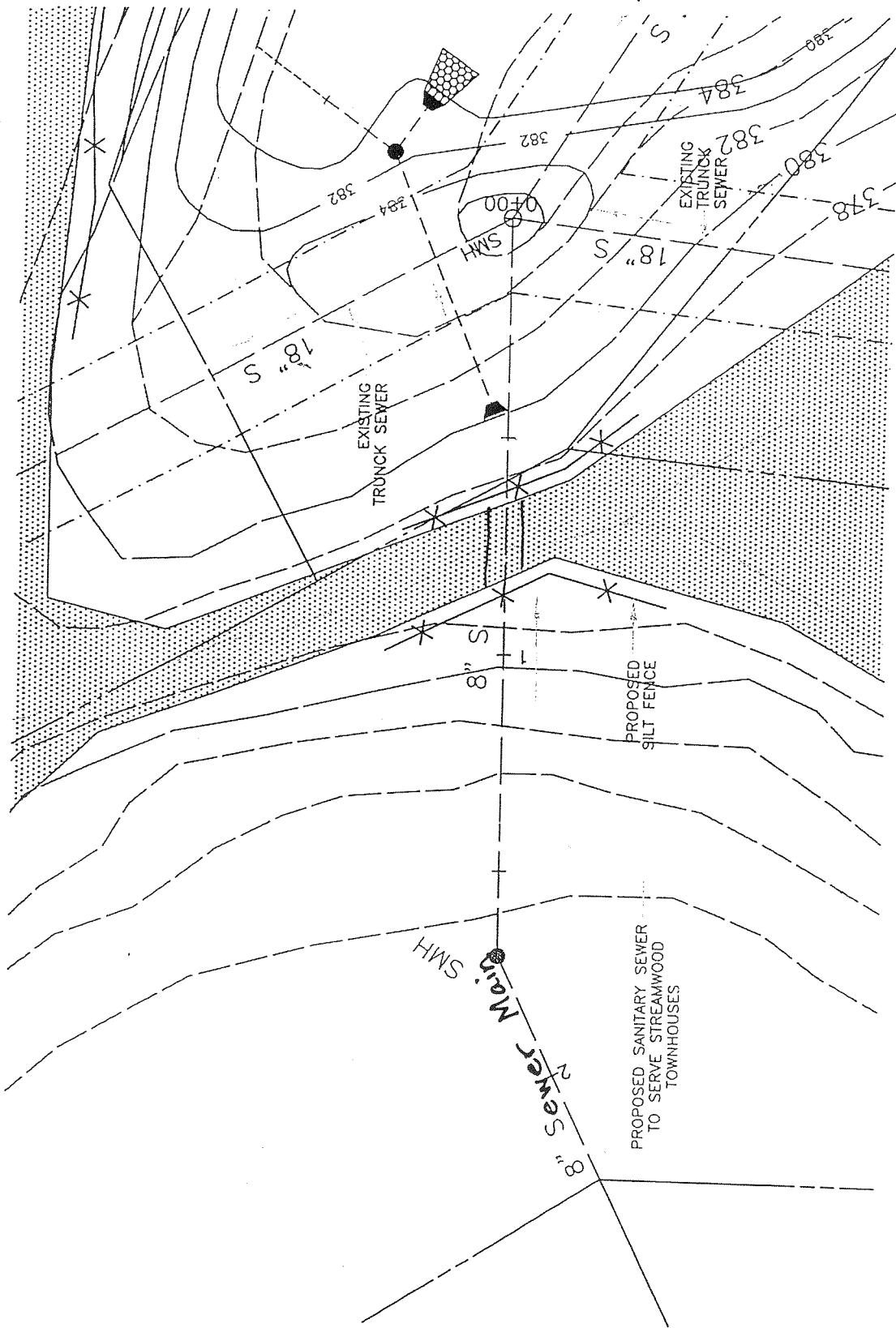


**SECTION D-D - STA 3+50
WETLANDS AREA 'D' DISTURBANCE**

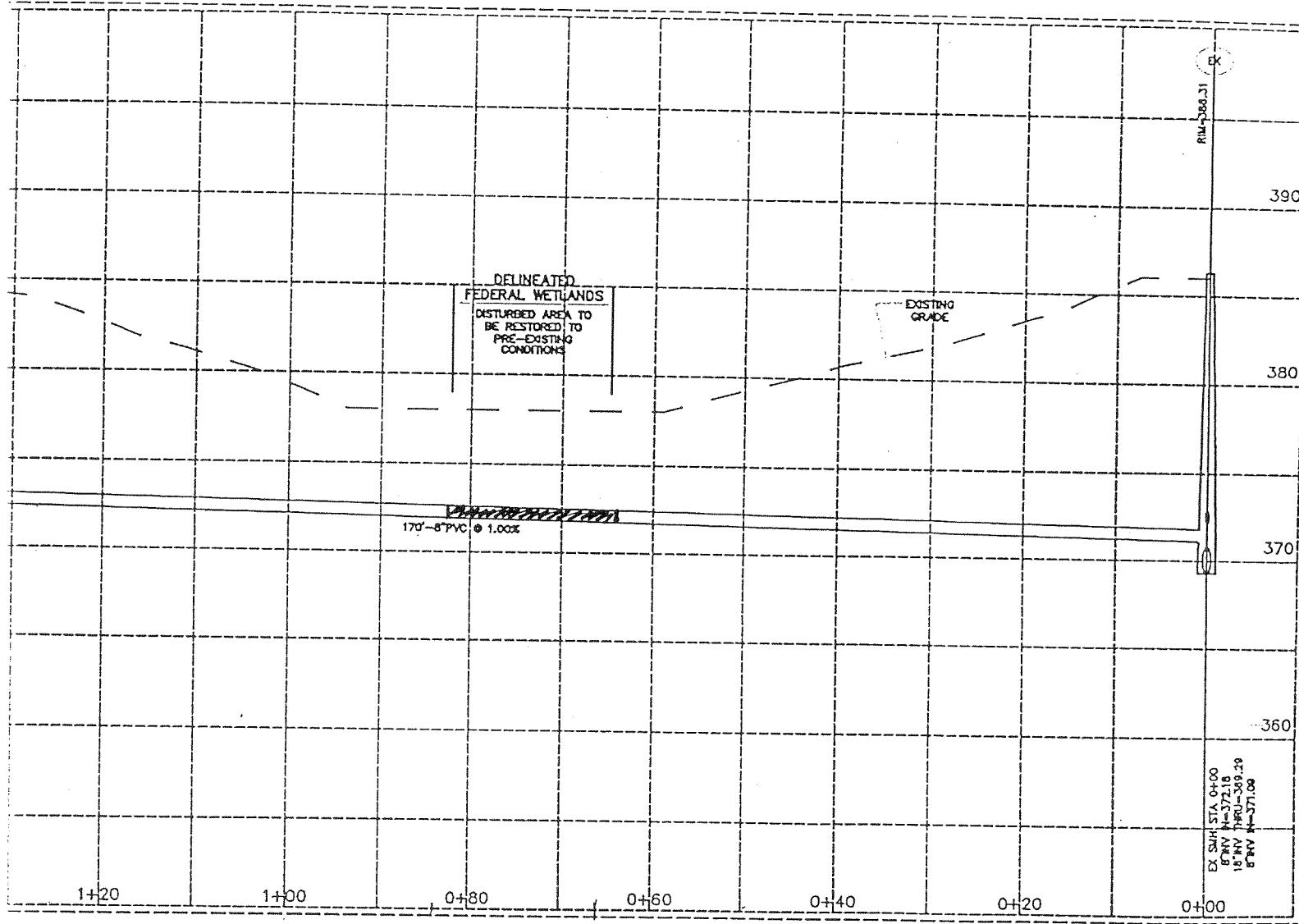
4
E-4

SCALE: HORIZ. 1" = 5'
VERT. 1" = 5'
CROSS REFERENCE: NONE

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PROFILE - SANITARY SEWER WETLANDS CROSSINGS WETLANDS AREA 'E' DISTURBANCE

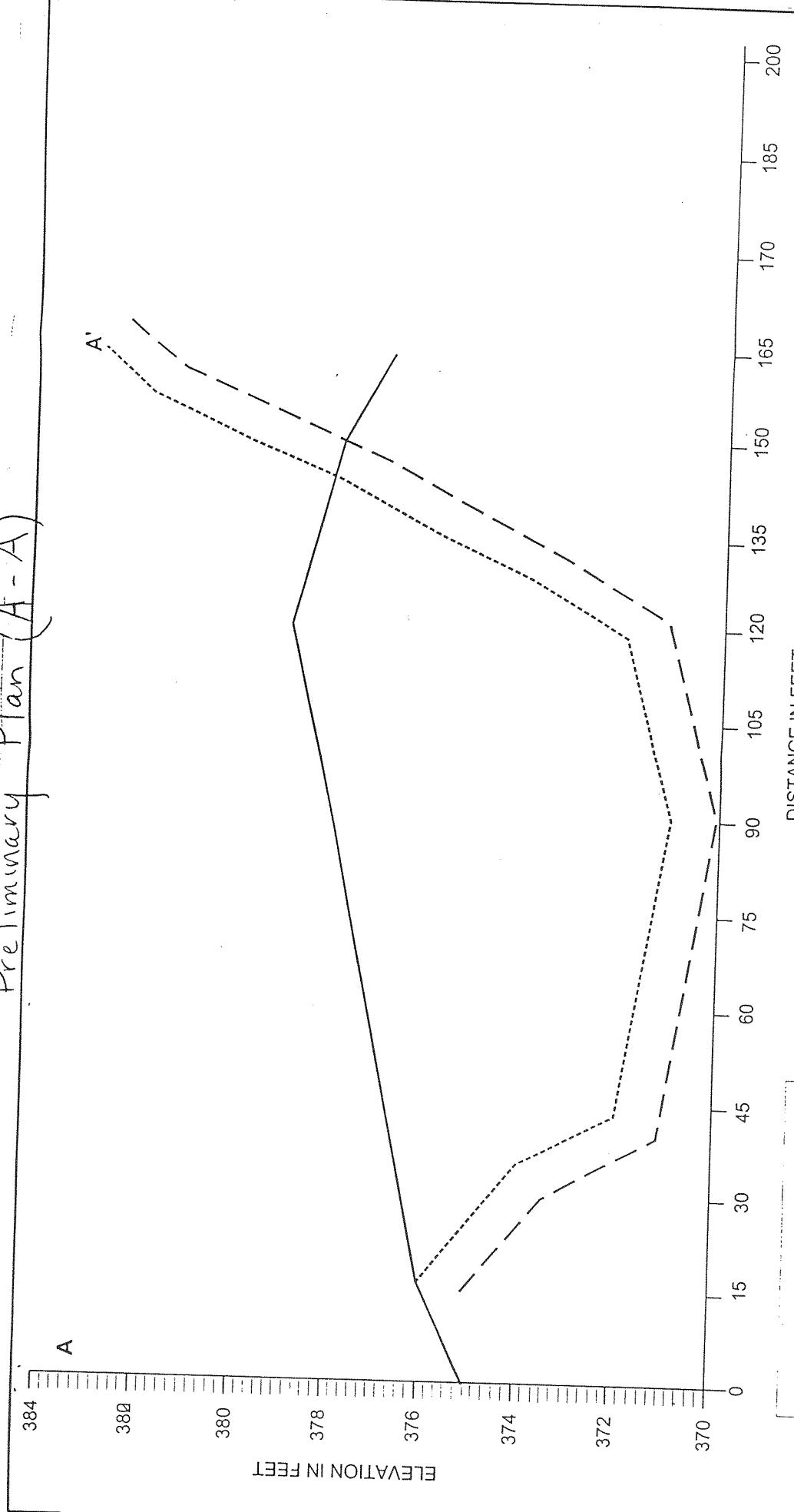
SCALE: HORZ. 1" = 10'
VERT. 1" = 5'
CROSS REFERENCE: NONE

Trench & Backfill in Wetland A
Authorized by NWP # 12.

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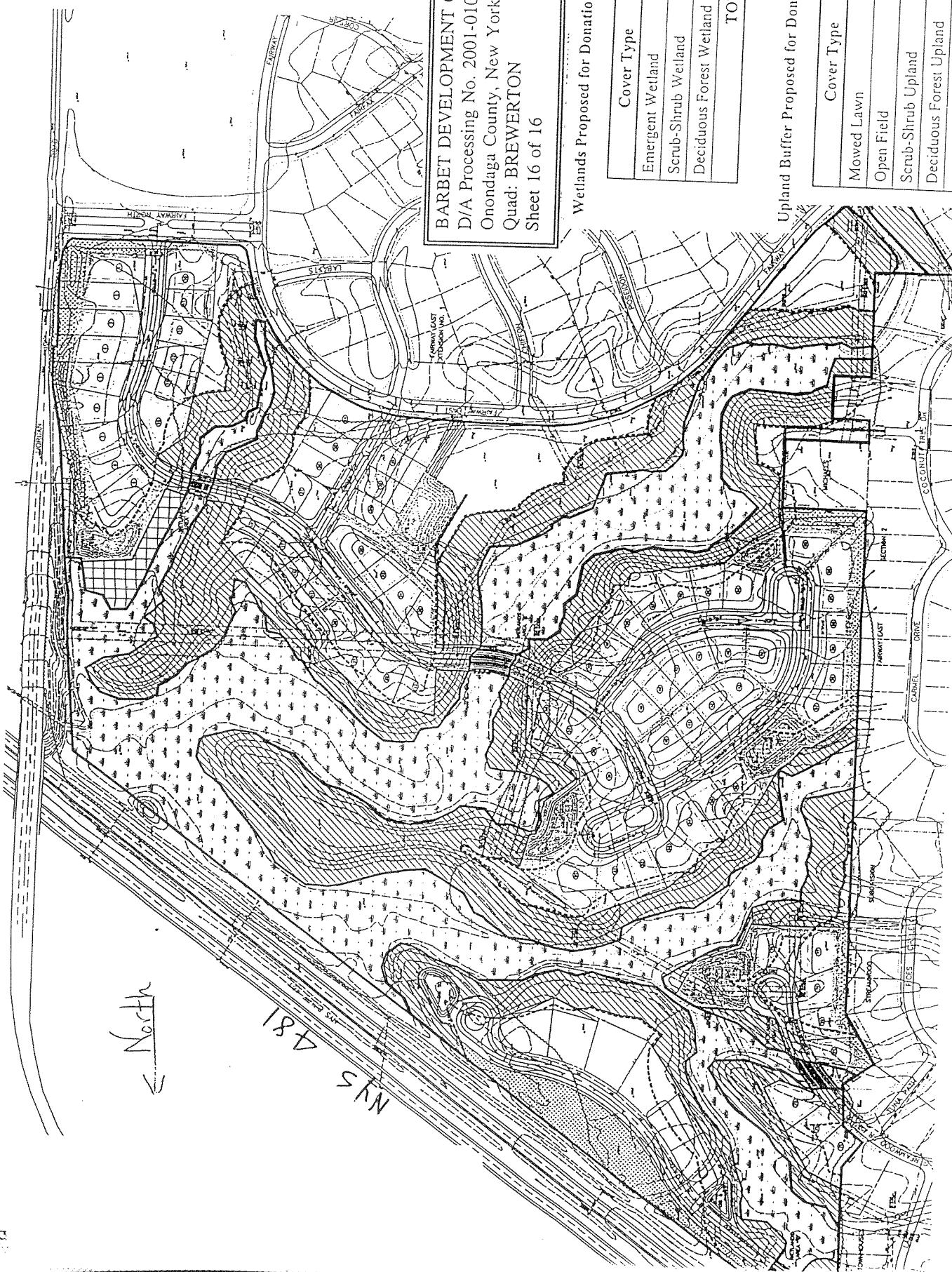
Proposed Mitigation Area
(Fig 12A)

Preliminary Plan (A-A')



BARBET DEVELOPMENT CORPORATION
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LEGEND



BARBET DEVELOPMENT CORPORATION
D/A Processing No. 2001-01093(0)
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Cover Type	Acres
Emergent Wetland	3.2
Scrub-Shrub Wetland	6.3
Deciduous Forest Wetland	16.6
TOTAL	26.1

Wetlands Proposed for Donation to Town

Cover Type	Acres
Mowed Lawn	5.0
Open Field	2.0
Scrub-Shrub Upland	8.9
Deciduous Forest Upland	11.0
TOTAL	36.9

Upland Buffer Proposed for Donation to Town^(a)

Wetland and Upland Areas to be Preserved by Donation to Town,
Fairway East Subdivision, Town of Clay, New York